

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TINA M. PATRICK,	)	4:11CV3137
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
ROY M. TILLMAN, and CASEY	)	
INDUSTRIAL, INC.,	)	
	)	
Defendants.	)	

This matter is before me on a Joint Motion to Dismiss Counterclaim filed by Counter Defendant Tina M. Patrick (“Patrick”) and Counter Claimant Casey Industrial, Inc. (“Casey”). (Filing [43](#).) Also pending is Casey’s Motion to Withdraw its previously filed Motion to Dismiss Counterclaim. (Filing [44](#).)

In their Joint Motion, the parties stipulate to dismiss Casey’s counterclaim against Patrick with prejudice. (Filing [43](#) at CM/ECF pp. 1-2.) I accept the parties stipulation and will grant Casey’s Motion to Withdraw. Accordingly,

IT IS ORDERED:

1. The parties Joint Motion to Dismiss Counterclaim (filing [43](#)) is granted.
2. Casey’s counterclaim against Patrick is dismissed with prejudice. The remaining action between Patrick and Defendants, Casey and Roy M. Tillman, shall proceed in accordance with the progression order of this Court.
3. Casey’s Motion to Withdraw (filing [44](#)) is granted.
4. The Clerk of the court is directed to term Casey’s Motion to Dismiss Counterclaim (filing [39](#)) as it has been withdrawn.

DATED this 12<sup>th</sup> day of July, 2012.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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